

From: [Shahin, Emad](#)
To: [Brown, Griffith](#); [Tanimura, Erin](#)
Subject: FW: Birla - November 2022 Force Majeure Update to Response to 4-24-2020 EPA Letter
Date: Tuesday, November 8, 2022 7:06:42 AM
Attachments: [Birla - 11-7-22 Public Version Force Majeure Update to EPA \(including Attachments\).pdf](#)
[Birla - 11-7-22 CBI Force Majeure Update to EPA \(including Attachments\).pdf](#)

Good morning,

FYI,

Thanks

Emad

From: Morales, Marshall R. <mrmorales@sidley.com>
Sent: Monday, November 7, 2022 3:33 PM
To: Greene, Mary E. <Greene.Mary.E@epa.gov>; Ortega, Kellie <Ortega.Kellie@epa.gov>; Casburn, Tracey <casburn.tracey@epa.gov>; Quinn, Elias (ENRD) <elias.quinn@usdoj.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Connie Ellis <Connie.Ellis@ks.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Kate Gleeson [KDHE] <kate.gleeson@ks.gov>; Chen, Alexander <Chen.Alex@epa.gov>; Shahin, Emad <Shahin.Emad@epa.gov>; Tom.Mariani@usdoj.gov; Mance, Cassandra <mance.cassandra@epa.gov>
Cc: Buente, David T. <dbuente@sidley.com>; Gaynor, Joe <Joe.Gaynor@adityabirla.com>; Waskul, Randy <Randy.Waskul@adityabirla.com>
Subject: Birla - November 2022 Force Majeure Update to Response to 4-24-2020 EPA Letter

All,

Birla Carbon USA, Inc. submits the attached letter as the 30th update to its May 22, 2020 response to the April 24, 2020 letter it received from the U.S. Environmental Protection Agency ("EPA").

As the letter and some attachments to the letter include confidential business information ("CBI"), the letter and its attachments will be sent via FedEx to the Louisiana Department of Environmental Quality ("LDEQ"), per relevant LDEQ regulations, La. Admin. Code tit. 33, pt. I, § 501(A). Documents marked for CBI are entitled to confidential treatment under 40 C.F.R. Part 2, Subpart B, and are not subject to disclosure under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. We ask that KDHE similarly treat this as CBI under Kansas's analogous state laws. The attached public version of the letter has been uploaded to CDX.

We will update you with more details as they become available. Please contact David Buente at 202-255-8684 or dbuente@sidley.com if you have any questions in the meantime.

Best,
Marshall

MARSHALL R. MORALES
Senior Managing Associate

SIDLEY AUSTIN LLP

+1 202 736 8920
mrmorales@sidley.com

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